

Regular Session, 2010

SENATE BILL NO. 696

BY SENATOR QUINN

CIVIL PROCEDURE. Provides for interlocutory judgments. (8/15/10)

AN ACT

To amend and reenact Code of Civil Procedure Art. 1914(D), relative to the rendition of judgments; to provide for interlocutory judgments, notice and delay; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Art. 1914(D) is hereby amended and reenacted to read as follows:

Art. 1914. Interlocutory judgments; notice; delay for further action

* * *

D. ~~Except as provided in Paragraph C of this Article, each~~ **Each** party shall have ten days either from notice of the interlocutory judgment **in open court**, or from the mailing of notice when required to take any action or file any pleadings in the trial court; ~~however, this~~ **This** provision ~~does not suspend or otherwise affect~~ **suspends** the time for applying for supervisory writs, ~~nor does it affect the time for~~ **and the time for** appealing an interlocutory judgment under Article 2083.

* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Camille Sebastien Perry.

DIGEST

Quinn (SB 696)

Present law provides for interlocutory judgments, and the notice and delay for further action procedures.

Present law provides that the ten-day period following the notice of an interlocutory judgment for taking action or filing pleadings does not suspend the time for applying for supervisory writs nor affect the time for appealing the interlocutory judgment pursuant to Art. 2083.

Proposed law changes present law by providing that the ten-day period following the notice in open court or from the mailing of notice of an interlocutory judgment for taking action or filing pleadings does suspend the time for applying for supervisory writs and the time for appealing the interlocutory judgment pursuant to Art. 2083.

Effective August 15, 2010.

(Amends C.C.P. Art. 1914(D))